

**REMARKS**

In response to the Office Action mailed October 2, 2007, Applicants sincerely request reconsideration in view of the above claim amendments and the following remarks. Claims 1-42 are currently pending in the application and stand rejected. In response, claims 1, 17, 26, 34, and 41 have been amended for clarification. Support for these amendments may be found in at least paragraph 0078 in the Specification. No new matter is added.

***Claim Rejections – 35 U.S.C. § 102(b)***

Claims 1-4, 7-10, 12-18, 20, 22-24, 26-29, 32-37, and 41 stand rejected under 35 U.S.C. 102(b) as being anticipated by Breinberg et al., U.S. Patent No. 5,886,694, (hereinafter *Breinberg*). The rejection of these claims is respectfully traversed.

Amended Claim 1 recites a method of making ready for presentation a graphical element in a computer application program by communicating with a computer operating system comprising, *inter alia*, executing a second procedure for arranging the element, wherein the second procedure is invoked and executed independently from the first procedure, computes a final size for the element, performs internal arrangement functions on the element if the element has no children, and if the element has children, computes display positions for a child-element of the element, wherein the internal arrangement functions include font, alignment, and color operations affecting the appearance of the element.

*Breinberg* discusses a mechanism that allows a computer program having a graphical user interface (GUI) to display a window containing controls that are properly positioned and sized within the window. (*See Breinberg* column 4, lines 19-22.) The mechanism of *Breinberg* includes program code that divides a window into rectangular regions, and specifies a logical description of the relative positions of the controls and regions. (*See Breinberg* column 4, lines 22-25.) *Breinberg* also discusses program code that automatically determines the precise coordinates of each control, and positions the controls accordingly during execution of the computer program that is displaying the dialog window. (*See Breinberg* column 4, lines 25-29.)

In contrast with Claim 1, *Breinberg* fails to disclose executing a second procedure for arranging the element, wherein the second procedure is invoked and executed independently

from the first procedure, computes a final size for the element, performs internal arrangement functions on the element if the element has no children, and if the element has children, computes display positions for a child-element of the element, wherein the internal arrangement functions include font, alignment, and color operations affecting the appearance of the element. Instead, *Breinberg* discusses an auto-layout engine which arranges and repositions frames as it traverses a tree to fill available space (See *Breinberg* column 2, lines 1-9; column 4, lines 57-64; and column 11, lines 51-55). Thus, *Breinberg* merely discusses the arrangement and repositioning of frames and not operations affecting the appearance of an element including internal arrangement functions for font, alignment, and color. Accordingly, amended independent Claim 1 patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claim 1. Dependent Claims 2-4, and 7-16 are also allowable at least for the reasons described above regarding independent Claim 1, and by virtue of their dependency upon independent Claim 1. Accordingly, Applicants respectfully request withdrawal of this rejection of Claims 2-4 and 7-16.

Amended Claims 17, 26, 34, and 41 recite similar features as those recited in amended claim 1 and thus are allowable over *Breinberg* for at least the same reasons. In addition, amended claim 34 further specifies that the display positions comprise a top-left coordinate of a rectangle representing the element. *Breinberg* fails to disclose a top-left coordinate of a rectangle representing the element as a basis of computing a positioning of a child-element. Therefore, amended claim 34 is also allowable for at least these additional reasons. Accordingly, independent Claims 17, 26, 34, and 41 patentably distinguish the present invention over the cited art, and Applicants respectfully request withdrawal of these Claims. Dependent Claims 18, 20-23, 27-29 and 32-33, and 35-37 are also allowable at least for the reasons described above regarding independent Claims 17, 26, 34, and 41, and by virtue of their dependency upon the aforementioned claims. Accordingly, Applicants respectfully request withdrawal of this rejection of Claims 18, 20-23, 27-29, 32-33, and 35-37.

#### ***Claim Rejections – 35 U.S.C. § 103(a)***

Claims 11 and 22 stand rejected under 35 U.S.C. 103(a) as being unpatentable over *Breinberg* in view of Lupu (“*Lupu*”, U.S. Publication 2004/0100480).

*Lupu* discusses a computer method and system for redirecting messages received from input devices, and may be used for redirecting input messages to applications that have had a window's output redirected. (See *Lupu* paragraph [0020].) *Lupu* discusses that when a redirected application is not aware of a change, a redirection host is responsible for propagating changes in the application's visible appearance on the screen. (See *Lupu* paragraph [0020].)

In contrast with Claim 1, the combination of *Breinberg* and *Lupu* fails to teach or suggest executing a second procedure for arranging the element, wherein the second procedure is invoked and executed independently from the first procedure, computes a final size for the element, performs internal arrangement functions on the element if the element has no children, and if the element has children, computes display positions for a child-element of the element, wherein the internal arrangement functions include font, alignment, and color operations affecting the appearance of the element. Dependent Claims 11 and 22 depend from Claims 1 and 17 and thus are allowable over *Breinberg* at least for the reasons described above regarding independent Claims 1 and 17, and by virtue of their dependency upon independent Claims 1 and 17. *Lupu* is concerned with redirecting messages received from input devices and not internal arrangement functions affecting the appearance of an element which has no children. In addition, *Lupu* does not disclose computing display positions comprising a coordinate of a shape representing the element. Accordingly, independent Claims 11 and 17 patentably distinguish the present invention over the cited art. Accordingly, Applicants respectfully request withdrawal of this rejection of Claims 11 and 17.

**CONCLUSION**

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the applicant at the telephone number provided below.

Respectfully submitted,

MERCHANT & GOULD P.C.

Date: September 29, 2008

/Alton Hornsby III/  
Alton Hornsby III  
Reg. No. 47,299

P.O. Box 2903  
Minneapolis, MN 55402-0903  
404.954.5064